

REMARKS

In the Office Action, claims 1, 7, 8, 10, 16, 17, 20-23, 26-28, 30, 31, and 33-38 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,959,855 to Daudelin ("Daudelin"). In addition, claims 2, 4, 5, 11, 13, and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Daudelin in view of U.S. Patent 5,943,409 to Malik ("Malik"). Claims 3 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Daudelin in view of U.S. Patent 5,898,917 to Batni et al. ("Batni"). Claims 6 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Daudelin in view of Malik and U.S. Patent 5,991,364 to McAllister et al. ("McAllister"). Claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Daudelin in view of McAllister, and claims 9, 18, 19, 24, 25, 32, and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Daudelin in view of U.S. Patent 5,511,111 to Serbetcioglu et al. ("Serbetcioglu"). Applicants traverse the rejections as follows.

Claim 1 is directed to a network for providing a telecommunications service with automatic speech recognition to a telecommunications user, and includes as one of its elements "an intelligent resource server in communication with the switch for receiving the incoming communication from the switch, for placing an outgoing communication to the telecommunications device via the switch, *the outgoing communication including an audible message identifying the calling party*, and for automatically recognizing a predetermined keyword spoken by the telecommunications user in response to the outgoing communication." (*emphasis added*).

In the Office Action, the Office rejected claim 1 as being anticipated by Daudelin. Daudelin is directed to a directory assistance system, wherein the directory assistance system provides a *calling party* with the option of connecting to a desired *called party* after the *calling*

party receives directory listing information concerning the *called* party. See *Daudelin*, col. 1, ll. 49-55. Although the directory assistance system described in the Daudelin reference utilizes voice processing units to prompt the *calling* party and to detect the *calling* party's response to such prompts, nowhere does the Daudelin reference disclose an audible message that identifies the *calling* party to the *called* party, as recited in claim 1.

The Office Action identifies col. 7, line 44 of Daudelin as disclosing this feature of claim

1. The cited passage reads as follows:

[i]f the operator did not request call setup, then a voice processing unit is attached to the connection and the voice processing unit announces the directory listing.

As is plainly evident, this passage does not teach or suggest an intelligent resource server for playing a message for the *called* party that identifies the *calling* party. Rather, the cited passage from Daudelin concerns the announcement of a directory listing of a *called* party for the benefit of a *calling* party, almost the exact opposite of the claimed invention. Thus, the cited passage does not disclose this feature of claim 1. By necessary implication, therefore, Daudelin also fails to disclose recognizing a predetermined keyword spoken by the *called* party in response to the identification of the *calling* party. Simply put, if Daudelin does not disclose the playing of a message identifying the *calling* party for the *called* party, the reference cannot disclose detecting a response by the *called* party.

Therefore, Applicants submit that claim 1 is not anticipated by the Daudelin reference because the reference does not disclose all the elements of claim 1. In addition, none of the other secondary references cited in the Office Action, namely, Malik, Batni, McAllister, and Serbetcioglu, teach or suggest the above-features of claim 1. Therefore, Applicants submit that claim 1, as well as claims 2-9, depending there from, are nonobvious in view of the references


cited in the Office Action. *See MPEP § 2142* (one of the elements of a *prima facie* case of obviousness is that “the prior art reference (or references when combined) must teach or suggest all the claim limitations”).

Independent claims 10, 22, 28 and 35 contain language similar to claim 1. Therefore, for reasons analogous to those set forth previously with respect to claim 1, Applicants submit that independent claims 10, 22, 28 and 35, as well as their respective dependent claims, are neither anticipated nor obvious in view of the cited references.

CONCLUSION

Applicants respectfully request issuance of a Notice of Allowance for the subject application. If the Examiner is of the opinion that the subject application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below, in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark A. Nuzzo', written over a horizontal line.

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